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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL AND
REQUEST FOR EXTENSION OF
TIME PURSUANT TO 37 C.F.R. §
1.136(a)**

Docket Number:
1662/50302

Application Number
09/714,351

Filing Date
November 16, 2000

Examiner
Stockton

Art Unit
1626

Invention Title
POLYMORPHIC FORM OF ATORVASTATIN
CALCIUM

Inventors
Ayalon, et al.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: 29 June 2007

Signature: _____

Sir:

1. Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated December 29, 2006 finally rejecting claims 1, 3-6, 16, and 17.
2. Applicants hereby request a three-month extension of time to respond to the Final Office Action of December 29, 2006, which sets a three-month period for response. The extended period for response expires on June 29, 2007, and is considered timely filed.
3. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of **\$500.00** and the 37 C.F.R. § 1.136(a) three month extension fee of **\$1,020.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
4. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. **11-0600**.

07/03/2007 NNGUYEN1 00000110 110600 09714351


01 FC:1401 500.00 DA
02 FC:1253 1020.00 DA

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Docket Number 1662/50302
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5. A copy of this form is enclosed for charging purposes.

Respectfully submitted,

Date: June 29, 2007


Joseph A. Coppola
Reg. No. 38,413

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NUMBER 26646